

## CHAPTER 43

### COUNTY ATTORNEY DUTIES — SCHOOLS, EXTRADITION, AND SECURING WITNESSES

H.F. 321

**AN ACT** modifying the duties of a county attorney relating to schools and to the extradition of criminal defendants and securing of certain witnesses.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 257B.10, Code 2011, is amended to read as follows:

**257B.10 Uniform interest date.**

If money is due to the permanent school fund, either for loans or deferred payments of the purchase price of land sold, the interest shall be made payable on the first day of January each year, and if the debtor fails to pay the interest within six months of the date it is due, the entire amount of both principal and interest shall become due, and the county auditor shall report the nonpayment to the ~~county attorney~~ school board, ~~who shall~~ which may immediately commence action for the collection of the amount reported as due. This section is a part of a contract made by virtue of this chapter, whether expressed in the contract or not.

Sec. 2. Section 257B.33, Code 2011, is amended to read as follows:

**257B.33 Suit — attorney fee.**

If the debtor does not comply with the notice, the auditor shall report the noncompliance to the ~~county attorney~~ school board, ~~who shall~~ which may bring an action to recover the debt, and an injunction may issue for cause, without bond when so petitioned, and there shall be allowed in the judgment, entered and taxed as a part of the costs in the case, a reasonable sum as compensation to plaintiff's attorney, not exceeding the amount provided by law for attorney fees.

Sec. 3. Section 331.756, subsection 7, Code 2011, is amended to read as follows:

7. Give advice or a written opinion, without compensation, to the board and other county officers and to ~~school~~ and township officers, when requested by an officer, upon any matters in which the state, county, ~~school~~, or township is interested, or relating to the duty of the officer in any matters in which the state, county, ~~school~~, or township may have an interest, but the county attorney shall not appear before the board at a hearing in which the state or county is not interested.

Sec. 4. Section 331.756, subsection 54, Code 2011, is amended by striking the subsection.

Sec. 5. Section 331.756, subsection 82, Code 2011, is amended to read as follows:

82. Carry out duties relating to extradition of fugitive defendants as provided in chapter ~~818~~ 820 and securing witnesses as provided in chapter 819.

Sec. 6. REPEAL. Chapter 818, Code 2011, is repealed.

Sec. 7. REPEAL. Chapter 819A, Code 2011, is repealed.

Approved April 12, 2011